

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE VANGUARD CHESTER FUNDS
LITIGATION

Case No. 2:22-cv-955-JFM

**NOTICE OF NON-OPPOSITION TO PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Haifan Liang, Julia Lucas, Donald R. Lichtenstein, Samuel B. Skraly, Ardes Poisson, Valerie M. Verduce, John Harvey, Caitlin Brigham, Jeffrey Chaussee, Zeb Bradford, Benjamin Deming, and James Daily ("Plaintiffs") respectfully submit this notice of non-opposition to Plaintiffs' motion for preliminary approval of the proposed class action settlement (Dkt. No. 149, "Motion"). Plaintiffs filed the Motion on November 6, 2024. Pursuant to Local Civil Rule 7.1(c), the deadline to oppose the Motion was November 20, 2023. The deadline has passed and no opposition has been filed. Pursuant to Local Civil Rule 7.1(c), "[i]n the absence of a timely response, the motion may be granted as uncontested."

The Court should grant the unopposed Motion to allow Plaintiffs to promptly issue notice of the proposed Settlement to potential Settlement Class Members, so that the Settlement can proceed to the final approval stage. At the final approval stage, the Court will schedule and hold a hearing to determine, upon further submissions by Plaintiffs and any potential objectors, whether the Settlement is fair, reasonable, and adequate. Courts in the Third Circuit regularly grant similar unopposed motions for preliminary approval expeditiously and without a hearing. *See e.g., McDermid v. Inovio Pharms., Inc.*, Case No. 2:20-cv-1402-GJP (E.D. Pa.) (Dkt. No. 150); *Whiteley v. Zynerba Pharms., Inc.*, Case No. 2:19-cv-4959-NIQA (E.D. Pa.) (Dkt. No. 44); *Elkin v. Walter Inv. Mgmt. Corp.*, Case No. 2:17-cv-2025-JCJ (E.D. Pa.) (Dkt. No. 49); *Beltran v. SOS*

Ltd., Case No. 1:21-cv-7454-RBK (D.N.J.) (Dkt. No. 47); *Spanier v. Bayerische Motoren Werke Aktiengesellschaft*, Case No. 2:20-cv-15081-CCC (D.N.J.) (Dkt. No. 49); *Lord Abbett Affiliated Fund, Inc. v. Navient Corp.*, No. 1:16-cv-112-MN (D. Del.) (Dkt. No. 341); *Andavarapu v. iBio, Inc.*, Case No. 1:14-cv-1343-RGA (D. Del.) (Dkt. No. 57).

Accordingly, Plaintiffs request that the Court sign and enter the [Proposed] Order Preliminarily Approving Class Action Settlement and Providing for Notice (Dkt. No. 148-1), scheduling the final Settlement Hearing at least 100 days from entry of the Order, per Plaintiffs' proposed schedule of events. *See* Dkt. No. 149-1 at 25.

Respectfully submitted,

Dated: November 21, 2024

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